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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 DELVIN VELASQUEZ-SANCHEZ,  
13 FRANKLIN LEAL-ARTIAGA

14 Defendants.  
15

Case No. 2:19-CR-163-RSL

ORDER GRANTING JOINT  
MOTION TO CONTINUE  
TRIAL DATE

16 This matter comes before the Court on a joint “Unopposed Motion to Continue Trial  
17 Date.” Dkt. #26. Having considered the facts set forth in the motion, and defendants’ knowing  
18 and voluntary waivers, the Court finds as follows:

19 1. The Court adopts the facts set forth in the unopposed motion; specifically, that  
20 defense counsel needs additional time to review the discovery already provided by the  
21 government and the new discovery that is expected. The Court accordingly finds that a failure  
22 to grant a continuance would deny counsel, and any potential future counsel, the reasonable time  
23 necessary for effective preparation, taking into account the exercise of due diligence, within the  
24 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).  
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26 2. The Court finds that a failure to grant a continuance would likely result in a  
27 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).  
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1           3.       The Court finds that the additional time requested between November 12, 2019,  
2 and the proposed trial date of February 10, 2020 is a reasonable period of delay, as defense  
3 counsel needs additional time to review discovery. The Court finds that this additional time is  
4 necessary to provide defense counsel reasonable time to prepare for trial, considering all the  
5 facts set forth above.  
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7           4.       The Court further finds that this continuance would serve the ends of justice, and  
8 that these factors outweigh the best interests of the public and defendants in a speedier trial,  
9 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

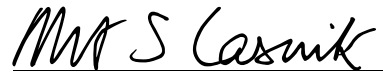
10          5.       Defendants have signed waivers indicating that they have been advised of their  
11 rights to a speedy trial and that, after consulting with counsel, they have knowingly and  
12 voluntarily waived those rights. Defendant Franklin Leal-Artiaga has consented to the  
13 continuation of his trial to a date up to and including February 29, 2020. Dkt. #27. Defendant  
14 Delvin Velasquez-Sanchez has consented to the continuation of his trial to a date up to and  
15 including March 11, 2020. Dkt. #30. Both waivers will permit trial to start on February 10,  
16 2020, per defense counsel's request.  
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18           IT IS HEREBY ORDERED that the trial date be continued from November 12, 2019 to  
19 February 10, 2020.

20           IT IS FURTHER ORDERED that the pretrial motions deadline be continued to January  
21 6, 2020.

22           IT IS FURTHER ORDERED that the period of time from the current trial date of  
23 November 12, 2019, up to and including February 29, 2020, shall be excludable time pursuant to  
24 the 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this  
25 motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A),  
26 and (h)(7)(B).  
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1 DATED this 26<sup>th</sup> day of September, 2019.

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4 Robert S. Lasnik  
5 United States District Judge  
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